

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:13CR00347 JLH

JOHN B. STACKS

DEFENDANT

**ORDER**

At the close of the government's case-in-chief, the defendant, John B. Stacks, moved for judgment of acquittal pursuant to Rule 29(a) of the Federal Rules of Criminal Procedure. Pursuant to Rule 29(b), the Court reserved a decision on that motion. At the close of all of the evidence, Stacks renewed his motion. Without objection, the Court granted the motion as to Count 5 but otherwise reserved a decision on the motion. During trial, Stacks also filed a written motion, which in effect is a brief in support of his motion for acquittal. *See Document #71.*

Rule 29(c)(1) provides that a defendant may move for a judgment of acquittal, or renew such a motion, within fourteen days after a guilty verdict or after the Court discharges the jury, whichever is later. Pursuant to that rule, Stacks may renew his motion within fourteen days by filing a written motion for judgment of acquittal. Stacks may file a new brief in support of his motion or, if he chooses, he may simply file a short written motion for judgment of acquittal in which he incorporates by reference the arguments he has previously made. The United States will have fourteen days from the date on which Stacks files his written renewal of his motion to respond, and Stacks will have seven days from the date the United States responds to file a reply.

IT IS SO ORDERED this 9<sup>th</sup> day of October, 2014.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE